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TAGS: ETTC MARR MCAP MOPS PARM PINR PREL PTER
SUBJECT: UKRAINE PROVISION OF TECHNICAL SUPPORT TO SYRIA

REF: A. STATE 111716
B. STATE 034701

Classified By: EUR/PRA Director Anita Friedt for
Reasons 1.4 (B) and (D).

¶1. (U) This is an action request, see paragraph 4.

¶2. (S//NF) Background: The U.S. has information indicating continued Ukrainian defense cooperation with Syria involving items that are controlled under the Wassenaar Arrangement (WA). Specifically, Ukraine has plans to send technicians to Syria to repair AA-10 air-to-air missiles, is preparing to deliver communications equipment for armored vehicles and anti-tank guided missile (ATGM) components, and continues to accept orders for military hardware from Syria. The U.S. continues to be concerned about Ukraine's overhaul of Syrian aircraft engines. At the bi-annual U.S.-Ukraine Nonproliferation Working Group (NPWG), the U.S. has regularly discussed Ukraine's conventional weapons sales to states of concern, including Burma, Syria, and Sudan. Most recently at the July NPWG in Kyiv (Ref A), we raised the overhaul of Syrian engines. In response, Ukraine indicated that it has a policy of opposing the sale of lethal military equipment to Syria. Accordingly, there was no basis to oppose the overhaul of aircraft engines. In response to the U.S. assessment that overhauling the engines would involve the transfer of Wassenaar Arrangement controlled technology, Ukraine agreed to investigate and emphasized that Ukraine adheres to its WA commitments. The U.S. is greatly concerned about the transfer of military-related items to Syria. Such transfers will enhance the capabilities of the Syrian military and undermine regional security. In addition, the transfer of Wassenaar-controlled items to Syria may trigger a review of the applicability of sanctions against the Ukrainian entities involved, including pursuant to the Iran, North Korea and Syria Nonproliferation Act (INKSNA).

¶3. (S) Objectives: Provide Ukraine with additional information regarding its defense cooperation with Syria and highlight this may involve lethal military equipment. Urge Ukraine to investigate the information we are providing and to cease all defense cooperation, particularly involving lethal items or technology controlled by the WA. Emphasize that responsible members of the international community must make every effort to ensure that arms exports and technical assistance are conducted consistent with international norms and do not threaten regional stability. Ukraine, which aspires to NATO membership, should work to bring stability to the region. Moving away from defense relationships of the past may be necessary to foster that stability.

¶4. (S) Action Request: Department requests Embassy Kyiv approach appropriate host government officials to deliver talking points in paragraph 5. Talking points can be left as a non-paper.

¶5. (SECRET//REL UKRAINE) Begin talking points/non-paper:

-- We would like to raise with you a matter of proliferation concern and request your government's assistance in investigating this activity.

-- The U.S. has information indicating continued Ukrainian defense cooperation with Syria, which involves transfers of goods and technology that are controlled under the Wassenaar Arrangement (WA).

-- Specifically, we have information that a Ukrainian arms company plans to send technicians to Syria to repair AA-10 air-to-air missiles.

-- We also have information that Ukrinmash continues to accept orders for military hardware from Syria and is preparing to deliver both communications equipment for armored vehicles and anti-tank guided missile (ATGM) components to the Syrian military. Our information also indicates that Syria submitted, in late September and for immediate delivery, an order for machine guns and tank parts.

-- We recognize that a request for items does not mean that Ukraine will respond or make a decision to approve such a request, however, the U.S. is concerned that Syria looks to Ukraine as a source of military equipment, including lethal items.

-- We also would like to follow-up with you on the planned overhaul of 100 aircraft engines that the Syrian Air Force planned to send via air to Ukraine's Motor Sich aircraft engine plant under June 2007 contracts.

-- The engines include the TV3-117MT, which is used on Mi-8/-17 transport, Mi-24/-35 attack, and Mi-14 anti-submarine warfare helicopters; the AI-25TL, which is used on L-39 jet trainer/light attack aircraft; and other jet engines.

-- We are extremely concerned about any transfer of military-related items or services to Syria, as such transfers undermine regional security.

-- As you will recall we discussed the overhaul of the engines at the July/August U.S.-Ukraine Nonproliferation Working Group (NPWG) in Ukraine.

-- In response to the U.S. assessment that overhauling the engines would involve the transfer of Wassenaar Arrangement controlled technology, Ukraine agreed to investigate and emphasized that Ukraine adheres to its WA commitments.

-- We would appreciate an update on your investigation into this case.

-- Repairs of this military equipment would improve the performance of Syrian combat systems and thereby enhance Syria's military capability.

-- Such military hardware and technical support is controlled under the Wassenaar Arrangement.

-- The transfer of Wassenaar-controlled items to Syria may trigger a review of the applicability of sanctions against the Ukrainian entities involved, including pursuant to the Iran, North Korea and Syria Nonproliferation Act (INKSNA).

-- INKSNA requires a report to the U.S. Congress identifying foreign persons with respect to whom there is credible information indicating that the person transferred goods, services, or technology controlled by multilateral regimes, such as the Wassenaar Arrangement, to or from Iran, North Korea, or Syria. Sanctions are authorized against the persons (including entities, individuals, governments and governmental entities) identified in such support.

-- We appreciate your long-standing cooperation and constructive dialogue on many issues. In the spirit of this

strong partnership, we urge you to cancel any contracts, services, or technical discussions involving Syrian air-to-air missiles. We look forward to discussing this issue at the upcoming NPWG in Washington, DC.

-- In addition, we would like to reiterate that arms sales to any State Sponsor of Terrorism could be detrimental to our nonproliferation relationship.

-- We believe that responsible members of the international community must make every effort to ensure that arms exports and technical assistance are conducted consistent with international norms and do not threaten regional stability. We look to Ukraine, which aspires to NATO membership, to work to bring stability to the region. Moving away from defense relationships of the past may be necessary to foster that stability.

End Talking Points.

¶6. (U) Washington appreciates Post's assistance on this matter. Department point of contact is Lou Ganem, (202) 647-2329, ganemlc@state.sgov.gov. Please slug all replies to ISN and EUR/PRA.

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